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TRANSMITTAL FORM

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Total Number of Pages in This Submission

12

Application Number	10/623,239
Filing Date	07/17/2003
First Named Inventor	Fitzhugh, et al.
Art Unit	1615
Examiner Name	
Attorney Docket Number	PA497CON1 (51288-59)

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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1. Preliminary Amendment;
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Preston Gates & Ellis LLP		
Signature			
Printed name	Louis C. Cullman		
Date	10/27/04	Reg. No.	39,645

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Dulcie Donoso-Fontt
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IFW

PATENT

Attorney Docket No.: PA497CON1 (51288-59)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fitzhugh, et al.

Serial No.: 10/623,239

Filed: July 17, 2003

Title: HIGHLY CROSS-LINKED, EXTREMELY HYDROPHOBIC NITRIC OXIDE-RELEASING POLYMERS AND METHODS FOR THEIR MANUFACTURE AND USE



Conf. No.: 8121

Examiner: Unknown

Art Unit: 1615

RESPONSE TO NOTICE OF NON-COMPLIANT

AMENDMENT UNDER 37 C.F.R. §1.121

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being submitted in response to the Notice of Non-Compliant Amendment under 37 C.F.R. §1.121 mailed on October 1, 2004 for which a response is due November 1, 2004 in the above-identified U.S. patent application.

In the Notice of Non-Compliant Amendment the Examiner noted that the preliminary amendment that was filed with the above-identified U.S. patent application on July 17, 2003 was not permitted because all the claims must be presented with status identifiers. Applicants have revised their document and are resubmitting this preliminary amendment in the proper format with each claim properly identifying their status.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application. The Director is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3207 associated with this response.

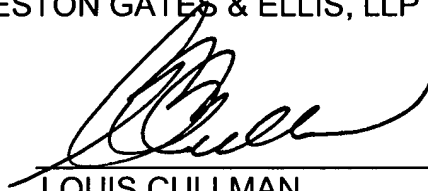
Respectfully submitted,

PRESTON GATES & ELLIS, LLP

Date

10/27/04

By:



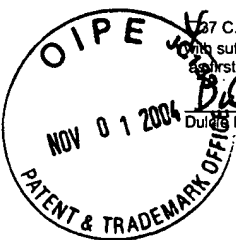
LOUIS CULLMAN
Attorney for Applicant
Registration No. 39,645

Contact information below for inquiries
regarding the above submission:

Customer No.: 28,390
Louis C. Cullman
Preston Gates Ellis LLP
(949) 253-0900 Telephone
(949) 253-0902 Fax

Enclosures: Preliminary Amendment, Transmittal.

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PATENT

Attorney Docket No.: PA497CON1 (51288-59)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fitzhugh, et al.

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Title: HIGHLY CROSS-LINKED, EXTREMELY
HYDROPHOBIC NITRIC OXIDE-
RELEASING POLYMERS AND
METHODS FOR THEIR
MANUFACTURE AND USE

PRELIMINARY AMENDMENT

Mail Stop: Amendment
Commissioner for Patents
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Sir:

Prior to examination of other above-identified application please consider and enter the following:

Amendments to the Claims begin on page 2 of this paper.

Remarks being on page 9 of this paper.